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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,847	02/04/2002	Ralph E. Bucknam	BA-22810	5161

178 7590 09/26/2003

BUCKNAM AND ARCHER  
1077 NORTHERN BOULEVARD  
ROSLYN, NY 11576

EXAMINER

WELLS, NIKITA

ART UNIT PAPER NUMBER

2881

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/066,847

Applicant(s)

BUCKNAM, RALPH E.

Examiner

Nikita Wells

Art Unit

2881

H

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: \_\_\_\_\_

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: The Applicant does not address the issues of the claims or the issues presented by the Examiner in the final rejection (see Paper #9). Refer to Detail Action write up enclosed. .

## **DETAILED ACTION**

### ***Response to Reply After Advisory Action***

1. The Applicant provided a "Final Request for Corrective Action" received June 18, 2003 in reply to the Advisory Action (see Paper #11).
2. Applicant's arguments in the "Final Request for Corrective Action" or the "Reply to Final Office Action" where he reiterates the various aspects of his theories and his disenchantment with Einstein's equation of conservation of energy, have been fully considered but they were not found to be persuasive. The Applicant does not address the issues of the claims or the issues presented by the Examiner in the final rejection (see Paper #9). As previously mentioned in Paper #9 and #11, the Examiner does not see any correlation between the theories, as the Chapter 3 on Anti-Matter, as presented in the disclosure to the four claims of the application. Claims 1 and 3 abruptly mention a method and device using a substance from which decay energy is to be extracted, then stored, conditioned, and then applied for a useful purpose. Claims 2 and 4 disclose that the said substance is lodestone and the said energy is to be extracted by a magneto, stored in an electric battery, conditioned by a motor, and then used to propel a vehicle. The Applicant absolutely disregards the questions imposed by the Examiner with reference to the specific means of extracting, storing, conditioning, and applying the decaying energy in order to propel the vehicle.


Applicant's arguments with respect to the claims 1-4 have been fully considered but they were found not persuasive. Therefore, the rejection as presented in the First Office Action (see paper #7) stand firm.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nikita Wells whose telephone number is (703) 305-0416. The examiner can normally be reached 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (703) 308-4116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Nikita Wells". The signature is fluid and cursive, with the first name "Nikita" and the last name "Wells" clearly distinguishable.

Nikita Wells

Primary Examiner, Art Unit 2881

September 22, 2003